

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1841-01
Bill No.: HB 821
Subject: Counties, Courts, County Officials
Type: Original
Date: April 7, 2009

Bill Summary: Would allow first class counties to establish a county court to hear county ordinance violations if they so choose.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Local Government *	Unknown to (Unknown)	Unknown to (Unknown)	Unknown to (Unknown)

* Revenues net of related expenses.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator** (CTS) stated that the proposal would allow any first class county to establish a county court to prosecute ordinance violations. The court would have jurisdiction over county ordinances.

Ordinance violation cases are the least time consuming in terms of clerical workload, so we would not anticipate a significant decrease in the workload of the circuit court. When a county creates a county court, the state is no longer responsible for providing judicial and clerical resources. The proposed legislation would allow court costs to go to the county. The court fee could not exceed county ordinance costs; therefore, the court fee would be a maximum of \$12. We are unable, at this time, to estimate the impact on the costs and fees assessed in each case.

On balance, we anticipate a small reduction in fine revenues but no major cost or savings to the state as a result of this proposal.

Officials from **Cass County** and **St. Louis County** assumed there would be no fiscal impact on their organizations. Cass County officials stated that the impact could be positive if the county establishes a court to hear ordinance violations collect fines for county ordinance violations.

Officials from the **Office of the Attorney General** did not respond to our request for information.

Oversight assumes this proposal would result in unknown revenues and costs to local governments, and no fiscal impact to the state. Revenues from fines and fees may be more or less than the costs of operating the county courts.

<u>FISCAL IMPACT - State Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
LOCAL GOVERNMENTS			
<u>Revenue - counties</u>			
County court fines and fees	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
<u>Costs - counties</u>			
Salaries and miscellaneous	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
ESTIMATED NET EFFECT ON LOCAL GOVERNMENTS *	<u>Unknown to (Unknown)</u>	<u>Unknown to (Unknown)</u>	<u>Unknown to (Unknown)</u>

* Revenues net of related costs.

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

This proposal would allow first class counties to create a county court to hear county ordinance violations.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.


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SOURCES OF INFORMATION

Office of State Courts Administrator
Cass County
St. Louis County

NOT RESPONDING

Office of the Attorney General

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Director
April 7, 2009